

allowable independent claim (claim 1), these claims should also be in condition for allowance if, for no other reason than their dependency on an allowable independent claim.

The Applicant has also amended claim 10 to more clearly distinguish his device from the art cited by the Examiner. The Applicant submits that the amendments made to claim 10 patentably distinguish it from the art of record.

Primarily, the amendments to claim 10 point out that the refrigerant recovery device claimed is a *single pass* refrigerant recovery device *for withdrawing refrigerant from a refrigeration system to be serviced, processing the refrigerant so withdrawn, and depositing the refrigerant so processed into a storage means.*

The single pass nature of the present invention distinguishes it from the art of record.

In the Official Action, the Examiner cited Taylor and Shaw for his rejection. The Taylor and Shaw references are both closed-looped refrigeration systems. As such, they differ substantially from the Applicants' single pass device.

One of the main features obtained by the Applicants' valve for controlling the flow of material in an oil return line, and the means for controlling the opening and closing of the valve means, is that it provides for a balanced pressure condition to exist, both upstream and downstream from the compressor at the beginning of a use cycle of the device. This balanced pressure condition greatly facilitates the operation of the device.

A balanced pressure condition is not an issue in a closed-looped system such as the closed-looped systems disclosed in Taylor and Shaw.

When a closed-looped refrigeration system is turned off, the pressure downstream from the compressor will generally be greater than the pressure upstream from the compressor.

However, because of the closed-looped nature of the system, refrigerant under higher pressure that is downstream from the compressor can travel through the compressor and evaporator to the upstream side of the compressor, thereby balancing the pressure on the upstream and downstream sides of the compressor. Additionally, as refrigerant will typically still reside within the evaporator of a closed-looped refrigeration system, refrigerant within the evaporator can travel to the upstream side of the compressor to balance out the pressure on both sides of the compressor at the end of an operation cycle.

However, such is not the case with a single pass refrigeration recovery device. With a single pass refrigeration recovery device, the compressor draws refrigerant from a refrigeration system to be serviced. The compressed refrigerant is then passed through a compressor, and placed into a storage tank. In a single pass refrigerant recovery device, there is no return loop to return refrigerant from the storage tank to the upstream side of the compressor. Further, at the end of a use cycle of a refrigerant recovery device, the evaporator upstream from the compressor is typically devoid of refrigerant. As such, there is no way to pass refrigerant from the downstream side of the compressor to the upstream side of the compressor to balance the pressure on the upstream and downstream sides of the compressor. Nor is there usually any refrigerant upstream from the compressor to help balance the pressure between the upstream and downstream sides of the compressor.

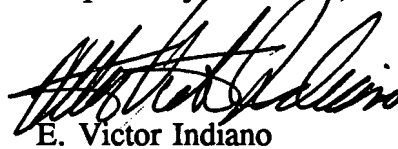
As such, the Applicants' invention solves a problem that does not exist in the art of record. In this regard, it should be noted that nothing in Shaw discusses the use of his various valves to achieve a balanced pressure condition.

For the foregoing reasons, the Applicant submits that his invention is not rendered obvious by either Shaw or Taylor. Although the Hancock patent does disclose a refrigerant recovery device, it should be noted that the Hancock device does not disclose any means for achieving a balanced pressure condition in a single pass refrigerant recovery device.

For the foregoing reasons, the Applicant submits that the claims, as amended, patentably distinguish the Applicants' invention from the art of record. Reconsideration and reexamination, culminating an allowance of all claims is therefore respectfully requested.

The Examiner is respectfully invited to telephone the Applicants' attorney, E. Victor Indiano at 317-236-2290, if the Examiner would like to discuss this case further, or would like to suggest any changes to the application or claims that would place the application in condition for allowance.

Respectfully submitted,



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